

**Certificate of Notice Page 1 of 3**  
 United States Bankruptcy Court  
 Eastern District of Pennsylvania

Faulkner,  
 Plaintiff  
 M&T BANK,  
 Defendant

Adv. Proc. No. 17-00276-elf

**CERTIFICATE OF NOTICE**

District/off: 0313-2

User: JEGilmore  
Form ID: pdf900Page 1 of 1  
Total Noticed: 10

Date Rcvd: Oct 03, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 05, 2018.

ust +BRENDA D. GISH, Office of United States Trustee - U.S. D, Federal Building,  
 228 Walnut Street, 11th Floor, Harrisburg, PA 17101-1714  
 pla +Mattie Mae Faulkner, 5432 N. Fairhill Street, Philadelphia, PA 19120-2711

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: megan.harper@phila.gov Oct 04 2018 02:19:44 City of Philadelphia,  
 City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor,  
 Philadelphia, PA 19102-1595  
 smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 04 2018 02:19:29  
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,  
 Harrisburg, PA 17128-0946  
 smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Oct 04 2018 02:19:42 U.S. Attorney Office,  
 c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404  
 ust +E-mail/Text: ustpregion03.ph.ecf@usdoj.gov Oct 04 2018 02:19:39 Frederic J. Baker,  
 Office of United States Trustee, 833 Chestnut Street, Suite 500,  
 Philadelphia, PA 19107-4405  
 ust +E-mail/Text: USTPRegion03.WL.ECF@USDOJ.GOV Oct 04 2018 02:19:39 SHAKIMA L. DORTCH,  
 U.S. Dept. of Justice - U.S. Trustee, 844 N. King Street, Suite 2207,  
 Wilmington, DE 19801-3519  
 ust +E-mail/Text: USTPRegion03.HA.ECF@USDOJ.GOV Oct 04 2018 02:19:39 United States Trustee,  
 228 Walnut Street, Suite 1190, Harrisburg, PA 17101-1722  
 ust +E-mail/Text: ustpregion03.ph.ecf@usdoj.gov Oct 04 2018 02:19:39 United States Trustee,  
 Office of the U.S. Trustee, 833 Chestnut Street, Suite 500, Philadelphia, PA 19107-4405  
 dft E-mail/Text: camanagement@mtb.com Oct 04 2018 02:19:23 M&T BANK, P.O. Box 840,  
 Buffalo, NY 14240-0840

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 05, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 3, 2018 at the address(es) listed below:

DENISE ELIZABETH CARLON on behalf of Defendant M&T BANK bkgroup@kmlawgroup.com  
 IRWIN LEE TRAUSS on behalf of Plaintiff Mattie Mae Faulkner itrauss@philalegal.org,  
 irwin@trauss.com  
 KEVIN G. MCDONALD on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com  
 THOMAS I. PULEO on behalf of Defendant M&T BANK tpuleo@kmlawgroup.com,  
 bkgroup@kmlawgroup.com

TOTAL: 4

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE: MATTIE MAE FAULKNER</b>	:	<b>Chapter 13</b>
	:	
<b>Debtor.</b>	:	<b>Bky. No. 17-10660 ELF</b>
	:	
<hr style="border: 1px solid black;"/>	:	
<b>MATTIE MAE FAULKNER,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>M&amp;T Bank,</b>	:	<b>Adv. No. 17-276</b>
	:	
<b>Defendant.</b>	:	
<hr style="border: 1px solid black;"/>	:	

**O R D E R**

**AND NOW**, upon consideration of the Defendants Motion to Dismiss the Amended Complaint (“the Motion”), and for the reasons stated in the accompanying Memorandum,

It is hereby **ORDERED** that:

1. The Motion is **GRANTED IN PART AND DENIED IN PART**.
2. The Motion is **GRANTED** as to **Count II** and **Count III**.
3. **Count II** and **Count III** are **DISMISSED**.
4. The Motion is **GRANTED IN PART AND DENIED IN PART** as to **Count VI**, as follows:
  - a. The Motion is **GRANTED** and **Count VI** is **DISMISSED** without leave to amend insofar as it includes a request the entry of an affirmative judgment for damages.
  - b. The Motion is **DENIED** insofar as **Count VI** seeks a partial disallowance of M&T’s proof of claim.

5. The Motion is **DENIED** as to **Count I, Count IV, Count V, Count VII and Count VIII.**
6. Defendant shall file an Answer to the Amended Complaint **on or before October 24, 2018.**
7. A pretrial conference is **SCHEDULED** on **October 31, 2018, at 10:00 a.m.,** in **Bankruptcy Courtroom No. 1, U.S. Bankruptcy Court, 900 Market Street, Philadelphia, PA** to discuss further pretrial management of this adversary proceeding.

Date: October 3, 2018

A handwritten signature in black ink, appearing to read 'ERL', with a long horizontal line extending to the right.

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**ERIC L. FRANK**  
**U.S. BANKRUPTCY JUDGE**